

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Criminal No. 18-10293-WGY
)	
v.)	Violation:
)	
(1) ANTON PETROV KULKIN, a/k/a David)	<u>Count One:</u> Conspiracy to Distribute and to
Solmonov Ashkenazi, a/k/a Emil Ivanov)	Possess with Intent to Distribute 100 Grams or
Asenov, a/k/a Toni,)	More of Carfentanil
)	(21 U.S.C. § 846)
and)	
)	<u>Forfeiture Allegation:</u>
(2) CARLOS ACERO PADILLA, a/k/a)	(21 U.S.C. § 853)
Charly)	

Defendants

SUPERSEDING INDICTMENT

COUNT ONE

Conspiracy to Distribute and to Possess with Intent to Distribute
100 Grams or More of Carfentanil
(21 U.S.C. § 846)

The Grand Jury charges:

From at least December 2017 through on or about August 28, 2018, in the District of Massachusetts, the Central District of California, Mexicali, Mexico, and elsewhere, the defendants, (1) ANTON PETROV KULKIN, a/k/a David Solmonov Ashkenazi, a/k/a Emil Ivanov Asenov, a/k/a Toni, and (2) CARLOS ACERO PADILLA, a/k/a Charly, conspired with each other and with other persons known and unknown to the Grand Jury, to knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of carfentanil, a Schedule II controlled substance and an analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the offense charged in Count One involved 100 grams or more of a mixture and substance containing a detectable amount of carfentanil, a Schedule II controlled substance and an analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(vi) is applicable to this Count.

It is further alleged that, with respect to Count One, 100 grams or more of a mixture and substance containing a detectable amount of carfentanil, a Schedule II controlled substance and an analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, were reasonably foreseeable by, and are attributable to, (1) ANTON PETROV KULKIN, a/k/a David Solmonov Ashkenazi, a/k/a Emil Ivanov Asenov, a/k/a Toni and (2) CARLOS ACERO PADILLA, a/k/a Charly. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(vi) is applicable to defendants (1) ANTON PETROV KULKIN, a/k/a David Solmonov Ashkenazi, a/k/a Emil Ivanov Asenov, a/k/a Toni, and (2) CARLOS ACERO PADILLA, a/k/a Charly.

All in violation of Title 21, United States Code, Section 846.

DRUG FORFEITURE ALLEGATION
(21 U.S.C. § 853)

1. Upon conviction of the offense in violation of Title 21, United States Code, Section 846, set forth in Count One of this Superseding Indictment, the defendants,

(1) ANTON PETROV KULKIN, a/k/a David Solmonov Ashkenazi,
a/k/a Emil Ivanov Asenov, a/k/a Toni,
and

(2) CARLOS ACERO PADILLA, a/k/a Charly,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;


it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL

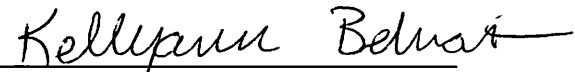


FOREPERSON


NADINE PELLEGRINI
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: March 6, 2019

Returned into the District Court by the Grand Jurors and filed.



DEPUTY CLERK
3/6/19